GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Revenue Department - Sri R.Chiranjeevi Rao, the then Surveyor (TF), Survey & Land Records Department, Visakhapatnam District - Disciplinary proceedings initiated under rule 24 APCS (CC&A) Rules, 1991-Articles of charges framed and regular inquiry conducted - Charges proved in the enquiry - Disciplinary proceedings concluded - Penalty of "withholding of four increments with cumulative effect" - Imposed - Review petition filed against the penalty orders - Admitted - Modifying the penalty "withholding of two increments with cumulative effect" - Orders - Issued .

REVENUE (VIGILANCE -I) DEPARTMENT

G.O.Rt.No.283 **Dt:05.03.2024**

Read the following:

1. G.O.Rt.No.14, Rev. (Vig.I.2) Dept., Dt. 02.01.2023.
2. Review petition of Sri R.Chiranjeevi Rao, Surveyor Dt. Nil.

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ORDER:

Whereas, in the G.O.1st read above orders have been issued imposing a punishment of "withholding of four increments with cumulative effect" against Sri R.Chiranjeevi Rao, the then Surveyor (TF), Survey & Land Records Department, Visakhapatnam District for his irregularities in notifying an extent of Ac.124.00 of land covered by TD.No.1180 of Adavivaram Village, Visakhapatnam Rural Mandal in Visakhapatnam District U/s 5 of Survey & Boundaries Act.

2. Aggrieved by the above orders, in the reference, 2nd read above, Sri R.Chiranjeevi Rao, the then Surveyor (TF), Survey & Land Records Department, Visakhapatnam District has filed a review petition before the Government denying the allegations and stated that, the impugned orders passed by the Disciplinary Authority in G.O.Rt.14 Rev(Vig1.2) Dept Dt. 02-01-2023 in imposing major punishment of stoppage four (4) advance increments is ex-facie illegal, discriminatory, shockingly discriminate and probabilities of the case besides non-application of mind, since he has not conducted any survey operations in the subject land under TD No.1180 of Vijayaramapuram H/o.Adivivaram. He has also stated that he did not conduct any survey operations in the subject land under T. D. No. 1180 in Vijayaramapuram Agraharam, H/o Adavivarm Village, Visakhapatnam Rural Mandal. Following directives from Higher Officials he solely performed physical verification of claims who filed before the Asst. Director, S&LR, Visakhapatnam which he has inspected and prepared the list and land records as per rules. He has also stated that the charges against him are identical to those against all other officers. He contends that he was never involved in surveying the Inam land under T. D. No. 1180 in Vijayaramapuram Agraharam, Adavivarm Village. Therefore, the accusation of violating Section-7, Chapter-6 of the Mandal Survey is irrelevant to him. He has further stated that the order given is highly disproportionate to the alleged misconduct. Both the Apex Court and Hon'ble High Courts have consistently held that the Disciplinary Authority must be judicious and impartial. Imposing the same punishment on all officers, despite varying roles, is illegal and should be overturned. In this case there were 10 charged officers alleged to have been involved irrespective of their nature of duties and all of them were imposed same punishment. While stating as above he has requested exoneration from the punishment, stating that the disciplinary authority's punishment is more severe than the found irregularity.

3. And whereas, the review petition of Sri R.Chiranjeevi Rao, the then Surveyor (TF), Survey & Land Records Department, Visakhapatnam District has been admitted and a personal hearing has been conducted by the competent authority on 05.02.2024.

4. After careful examination of the grounds put forth in the review petition and after hearing, both oral and written statements presented as part of his pleadings during hearing, Government have observed that, the punishment is more severe than the found irregularity and the disciplinary authority failed to conduct a proper inquiry into the case. Subsequently, after 8 years of initiating disciplinary action, imposed a major punishment without offering valid and cogent reasons for arriving at a plausible conclusion. Hence, the pleadings of the charged officer are considered and the penalty of "withholding of four increments with cumulative effect" is found excessive and modified as "stoppage of TWO increments with cumulative effect".

(Contd..2)

5. Government, in exercise of the powers conferred under rule- 38(a) of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991, here by review and modify the penalty of "withholding of four increments with cumulative effect" imposed against Sri R.Chiranjeevi Rao, the then Surveyor (TF), Survey & Land Records Department, Visakhapatnam District as "stoppage of TWO increments with cumulative effect".

6. The Commissioner, Survey Settlement & Land Records, A.P., Mangalagiri/ District Collector, Visakhapatnam shall take necessary further action accordingly.

(BY ORDER IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS)(FAC)

To
Sri R.Chiranjeevi Rao, the then Surveyor (TF), Survey & Land Records Department, Visakhapatnam District (through the Commissioner, Survey Settlement & Land Records, Andhra Pradesh, Mangalagiri)
The Commissioner, Survey Settlement & Land Records, Andhra Pradesh, Vijayawada.
Copy to:-
The District Collector, Visakhapatnam District.
The Director of Treasuries and Accounts, Visakhapatnam District.
The Revenue (Ser.III) Dept.,
SF/SC.

// FORWARDED::BY ORDER //

SECTION OFFICER